



06-09-024

PATENT 37318  
Atty. Docket No.: 101.0050-00000  
Customer No. 22882 41

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Confirmation No.: 5055  
Gary K. Michelson )  
Serial No.: 08/484,928 ) Group Art Unit: 3731  
Filed: June 7, 1995 ) Examiner: D. Reip  
For: FRUSTO-CONICAL INTERBODY )  
SPINAL FUSION IMPLANT )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

RECEIVED  
JUN 16 2004  
TECHNOLOGY CENTER R3700

**CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL**

Express Mail Mailing Label No. ER459767235US

Date of Deposit: June 8, 2004

I hereby certify that:

1. Transmittal Form (in duplicate; (\$1,130.00 total fee to cover the \$950.00 three-month extension fee and \$180 IDS fee is to be charged to Deposit Account No. 50-1066)
2. Amendment
3. Information Disclosure Statement Under 37 C.F.R. § 1.97(c) with Form PTO-1449 and 7 documents
4. Self-addressed return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Date: June 8, 2004

Sandra L. Blackmon

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: 330-877-0700  
Facsimile: 330-877-2030



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
 Gary K. Michelson  
 Serial No.: 08/484,928  
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Group Art Unit: 3731

Examiner: David Reip

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Transmitted herewith is a reply to the Office Action dated December 8, 2004 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a three-month extension of time to respond to the above office action.
- ☒ Information Disclosure with Form PTO-1449 and 7 documents are enclosed.

The fee has been calculated as shown below:

ITS FEE HAS BEEN CALCULATED AS SHOWN BELOW:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	180	-	183      **	0	LG=\$18 SM=\$9	\$18	\$    0
INDEPENDENT CLAIMS FEE	10	-	10      ***	0	LG=\$84 SM=\$42	\$84	\$    0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$280 SMALL ENTITY FEE = \$140		\$    0
TOTAL							\$    0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.


\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ A fee in the amount of \$1,130.00 to cover the \$950 three-month extension fee and \$180 IDS fee is to be charged to Deposit Account No. 50-1066.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
 MARTIN & FERRARO, LLP

Date: June 8, 2004

By:   
 Thomas H. Martin  
 Registration No. 34,383

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